

IN THE UNITED STATES OF DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ROBERT HANDY,

Plaintiff,

v.

DELAWARE RIVER SURGICAL SUITES,
LLC d/b/a BUCKS COUNTY SURGICAL
SUITES, et al.

Defendants.

CIVIL ACTION

No. 2:19-cv-1028

ORDER

AND NOW, this 19th day of May 2022, upon consideration of Defendant BCOS's Motion to Dismiss (Doc. No. 4), Plaintiff Dr. Robert Handy's Response in Opposition to the Motion to Dismiss (Doc. No. 8), BCOS's Reply to Dr. Handy's Response (Doc. No. 16), BCOS's Brief Regarding Plaintiff's Status as a Shareholder (Doc. No. 73), BCOS's Response to Dr. Handy's Brief Regarding his Standing (Doc. No. 93), Dr. Handy's Supplemental Memorandum (Doc. No. 227), BCOS's Supplemental Memorandum (Doc. No. 228), BCOS's Opposition to Dr. Handy's Supplemental Memorandum (Doc. No. 231), Dr. Handy's Opposition to BCOS's Supplemental Memorandum (Doc. No. 232), the parties' Replies to the Oppositions (Doc. Nos. 238 and 239), the Report and Recommendation of Special Master James J. Rohn, Esquire (Doc. No. 245), BCOS's Objections to the Report and Recommendation (Doc. No. 246), Dr. Handy's Response in Opposition to BCOS's Objections (Doc. No. 247), and in accordance with the Opinion of the Court issued this day, it is **ORDERED** as follows:

1. The Special Master's Report and Recommendation (Doc. No. 245) is affirmed, approved, and adopted.
2. Defendant BCOS's Motion to Dismiss (Doc. No. 4) is **DENIED**.
3. Defendant BCOS shall file an answer to the Complaint (Doc. No. 1) by June 2, 2022.

BY THE COURT:

/s/ Joel H. Slomsky
JOEL H. SLOMSKY, J.